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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

HARMEET K. DHILLON,

Plaintiff,

v.

DOE 1, et al.,

Defendants.

Case No. 13-cv-01465 SI

**DECLARATION OF AARON F. PARK  
IN SUPPORT OF PLAINTIFF'S  
OPPOSITION TO MOTION BY  
DEFENDANT DOE 1 FOR  
JUDGMENT ON THE PLEADINGS  
PURSUANT TO FRCP 12(C) OR FOR  
SUMMARY JUDGMENT**

**Date: February 28, 2014  
Time: 9:00 a.m.  
Courtroom 10, 19<sup>th</sup> Floor  
Hon. Susan Illston**

I, Aaron F. Park, declare:

1. I am a conservative political blogger and activist in California. I have personal knowledge of the matters set forth herein and if called as a witness could and would competently

1 testify thereto. As to those matters stated on information and belief, I believe them to be true.

2 2. I have worked as a paid blogger, paid social media author, and paid blast email  
3 author over the past six years. On multiple occasions, I have been paid to research and write  
4 “attack” pieces criticizing political candidates in online articles and email blasts. My largest and  
5 most notable paid assignment in this capacity was working for political activist, author and  
6 consultant Stephen Frank, to write blogs attacking a Republican candidate for governor, Meg  
7 Whitman. I was compensated roughly \$30,000 over the course of a year writing these blogs,  
8 many of which involved the use of photographs of Ms. Whitman.

9 3. The research, photographs, and other materials that a blogger accumulates in  
10 connection with writing articles attacking political candidates has a high commercial value, as it  
11 can be used and disseminated repeatedly over time in a variety of social media, including on  
12 blogs, Facebook, Twitter and blast emails. In fact, I have been paid by various political  
13 candidates to disseminate my materials in this manner. Moreover, nothing prevents a blogger  
14 from selling these materials to one or more third parties who wish to launch their own attacks on  
15 political candidates.

16 4. The use of a candidate’s or politician’s photograph in conjunction with a blog or  
17 email significantly increases the likelihood that the post or email will be read, which yields a  
18 higher “conversion” rate and therefore more return on the investment of the posting party.

19 5. In my experience, campaign committees, individuals and organizations are more  
20 likely to pay bloggers to post stories if the blog on which the content is posted can show that it  
21 has a strong following. Bloggers are also more likely to be paid, and to be paid more highly, if  
22 they have authored successful articles attacking political candidates in the past. For instance, I  
23 routinely receive higher compensation on job assignments criticizing political candidates  
24 following a successful critical article that I have written and posted, often in conjunction with a  
25 photograph of the subject.  
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1           6.       Based on my experience and understanding of the facts of this case, it is likely  
2 that Doe 1's use of the Headshot Photograph of Harmeet Dhillon on the mungergames.net blog  
3 increased traffic to that blog, and it is further likely that this increase in traffic benefited Doe 1 in  
4 a commercial manner by increasing his value as a blogger and the compensation that he can seek  
5 from those who compensate him for his anonymous articles.

6           7.       In my experience, political blogs that are free to users and readers are often  
7 funded by and/or draw revenue from sources outside of user subscriptions or donation  
8 solicitations. For example, websites such as consumerwatchdog.org, which characterizes itself as  
9 "a nonprofit organization dedicated to providing an effective voice for taxpayers and consumers  
10 in an era when special interests dominate public discourse, government and politics,"  
11 (<http://www.consumerwatchdog.org/about>), generates revenue from its website, including but  
12 not limited to by selling access to its website to the clients it consults. Other blog websites that  
13 are free to users – such as Wordpress.com, Blogger.com, or Flashreport.org – generate revenue  
14 in connection with the "pay per click" advertisements that are placed on the free blogs.

15           8.       Anonymously-authored blogs are one of the tools that political professionals use  
16 to drive traffic to their business, and many seemingly-political blogs are actually generating a  
17 profit from the amount of traffic they generate from posted content. Information gathered in  
18 anonymously-authored blogs can be valuable to political professionals and candidates, and can  
19 and is often sold. If a blog seeks to influence the contributing patterns of contributors, it is likely  
20 that its authors and/or publishers have a commercial interest in the results of those patterns.

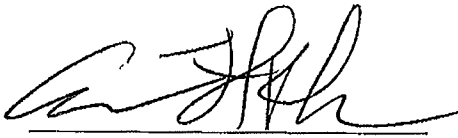
21           9.       I have reviewed the content of the blog at [www.mungergames.net](http://www.mungergames.net). Based upon  
22 and by applying my experience to the facts of this case, it is my professional opinion that the  
23 mungergames.net blog operates in an attempt to influence the contributing patterns with respect  
24 to Republican candidates, including the main subject of the blog's criticism, Republican donor  
25 Charles T. Munger Jr. Specifically, it is my opinion that the mungergames.net blog is an attempt  
26 by a select group of Republican consultants in the Orange County region to eliminate  
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1 competitive Republican versus Republican races in that area, which would benefit these  
2 consultants due to a combination of victory bonuses and other monetary incentives. The  
3 candidates in the Orange County races are advertisers on the Flashreport.org, whose founder, Jon  
4 Fleischman, has posted commentary on mungergames.net, has included links to the  
5 mungergames.net blog on Flashreport.org, and has supported Doe 1's position in this lawsuit.  
6 Increased traffic flow enjoyed by Flashreport.org in connection with Mr. Fleischman's article  
7 posted on mungergames.net – which included a hyperlink sending readers directly to  
8 Flashreport.org – indisputably increased the commercial value of the advertisements posted on  
9 Flashreport.org, and thus the profit enjoyed by Flashreport.org.  
10

11 10. In my experience and based on a review of the facts at issue in this lawsuit, it is  
12 likely that mungergames.net, Doe 1, and websites that link to mungergames.net, all derived  
13 commercial benefit from the use of the Headshot Photograph on the blog.

14 I declare under penalty of perjury under the laws of the State of California that the  
15 foregoing is true and correct and that this declaration was executed at the date set forth below in  
16 Roseville, California.

17 Date: January 27, 2014

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21 Aaron F. Park  
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